

**Compression Labs, Incorporated v. Agfa Corporation et al.,  
C.A. No. 2:04CV-158 DF**

**Motion to Dismiss Under Fed. R. Civ. P. 12(b)(7), or,  
in the Alternative, Motion to Transfer**

**Attachment N to the  
Declaration of Joseph M. Casino**

**U.S. DISTRICT COURT - JUDICIAL CASELOAD PROFILE**

			12-MONTH PERIOD ENDING SEPTEMBER 30							
DELAWARE			2003	2002	2001	2000	1999	1998	Numerical Standing	
OVERALL CASELOAD STATISTICS	Filings*		1,362	2,028	1,004	1,303	1,033	898	U.S.	Circuit
	Terminations		1,507	1,478	1,020	955	861	764		
	Pending		1,836	1,999	1,477	1,502	1,154	988		
	% Change in Total Filings			Over Last Year	-32.9				91	6
				Over Earlier Years		35.7	4.5	31.8	51.7	8
					4	4	4	4	4	
	Number of Judgeships									
	Vacant Judgeship Months**				1.9	3.1	.0	.0	11.7	
ACTIONS PER JUDGESHIP	FILINGS	Total	340	507	251	326	258	225	73	4
		Civil	306	462	233	307	240	198	57	4
		Criminal Felony	25	38	18	19	18	27	93	6
		Supervised Release Hearings**	9	7	-	-	-	-	77	3
	Pending Cases		459	500	369	376	289	247	25	2
	Weighted Filings**		319	462	265	298	242	221	86	5
	Terminations		377	370	255	239	215	191	65	4
	Trials Completed		23	18	16	19	13	21	28	2
MEDIAN TIMES (months)	From Filing to Disposition	Criminal Felony	8.3	9.8	8.0	6.6	6.0	6.2	60	3
		Civil**	11.2	8.2	12.6	10.9	11.5	10.5	75	5
	From Filing to Trial** (Civil Only)		24.0	22.5	21.0	24.0	19.7	19.0	54	3
OTHER	Civil Cases Over 3 Years Old**	Number	66	99	77	70	38	45		
		Percentage	3.9	5.4	5.5	4.9	3.5	5.0	53	2
	Average Number of Felony Defendants Filed Per Case		1.3	1.1	1.3	1.2	1.3	1.2		
	Jurors	Avg. Present for Jury Selection	34.98	33.84	32.68	35.75	30.23	29.22		
		Percent Not Selected or Challenged	24.0	24.4	19.9	28.5	15.1	18.5		

**2003 CIVIL AND CRIMINAL FELONY FILINGS BY NATURE OF SUIT AND OFFENSE**

Type of	TOTAL	A	B	C	D	E	F	G	H	I	J	K	L
Civil	1225	25	4	352	5	7	27	86	66	156	141	3	353
Criminal*	99	7	2	38	-	4	14	**	-	25	-	6	3

\* Filings in the "Overall Caseload Statistics" section include criminal transfers, while filings "By Nature of Offense" do not.

\*\* See "Explanation of Selected Terms."

**U.S. DISTRICT COURT - JUDICIAL CASELOAD PROFILE**

		12-MONTH PERIOD ENDING SEPTEMBER 30								
TEXAS EASTERN		2003	2002	2001	2000	1999	1998	Numerical Standing		
OVERALL CASELOAD STATISTICS	Filings*	4,072	3,610	3,452	3,604	5,807	5,210	U.S.	Circuit	
	Terminations	3,487	4,458	4,819	4,568	5,957	5,440			
	Pending	3,358	2,825	3,706	5,076	5,975	6,269			
	% Change in Total Filings	Over Last Year		12.8				8	2	
		Over Earlier Years		18.0	13.0	-29.9	-21.9	90	9	
Number of Judgeships		8	7	7	7	7	7			
Vacant Judgeship Months**		4.2	19.3	10.0	.0	11.8	.0			
ACTIONS PER JUDGESHIP	FILINGS	Total	509	515	493	515	830	744	31	6
		Civil	431	444	427	447	762	692	20	4
		Criminal Felony	77	70	66	68	68	52	41	5
		Supervised Release Hearings**	1	1	-	-	-	-	93	9
	Pending Cases		420	404	529	725	854	896	43	6
	Weighted Filings**		602	508	509	507	478	517	21	5
	Terminations		436	637	688	653	851	777	44	6
	Trials Completed		26	22	22	28	23	32	19	4
	MEDIAN TIMES (months)	From Filing to Disposition	Criminal Felony	7.5	8.9	8.0	6.9	6.9	6.8	42
			Civil**	10.9	15.0	30.9	24.3	5.9	3.9	72
		From Filing to Trial** (Civil Only)		17.0	14.0	15.9	15.7	14.7	14.9	13
OTHER	Civil Cases Over 3 Years Old**	Number	41	58	881	1,878	508	462		
		Percentage	1.4	2.4	26.1	39.6	8.9	7.7	19	4
	Average Number of Felony Defendants Filed Per Case		1.7	1.4	1.7	1.6	1.4	1.8		
	Jurors	Avg. Present for Jury Selection	32.49	32.40	32.25	35.12	29.93	28.99		
		Percent Not Selected or Challenged	33.5	33.3	35.6	35.2	34.4	28.6		

**2003 CIVIL AND CRIMINAL FELONY FILINGS BY NATURE OF SUIT AND OFFENSE**

Type of	TOTAL	A	B	C	D	E	F	G	H	I	J	K	L
Civil	3449	177	5	1280	27	15	95	292	960	84	277	6	231
Criminal*	616	59	6	124	29	16	184	**	12	109	15	7	55

\* Filings in the "Overall Caseload Statistics" section include criminal transfers, while filings "By Nature of Offense" do not.

\*\* See "Explanation of Selected Terms."